

③

cf100k

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

Writ Petition No. 2038/2003.

PETITIONER

: Saura
S/o Bhaigu, 47 years,
Clipper, R-2 Mines,
N.C.P.H. Colliery,
P.O. Haldi Badi
Distt. Koriya (C.G.)

Versus

RESPONDENTS

- : 1. The Chief Managing Director
South Eastern Coal Fields Ltd.
Seepat Road, Bilaspur (C.G.).
2. The Chief General Manager,
S.E.C.L., Chirmiri Area
P.O.- West Chirmiri Colliery
Distt. Koriya (C.G.).
3. The Technical Secretary/Director
(Personnel) S.E.C.L.,
Seepat Road, Bilaspur (C.G.).
4. The Sub Area Manager,
N.C.P.H. Colliery,
Haldi Badi, Distt. Koriya (C.G.).

P. R. No. 1992/03
Presented by Shri V. M. P. Singh
dated 09.02.03

WRIT PETITION UNDER ARTICLE 226 & 227 OF THE CONSTITUTION
OF INDIA

आदेश पत्रक

मामला क्रमांक W.P.2038/ सन् 2003

(52)

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	<u>14.07.2003</u> Heard Shri Prafull Bharat, counsel for the petitioner. Learned counsel for the petitioner submits that the petitioner is working as Clipper in N.C.P.H. Colliery at Haldi Badi, Distt. Korea. The petitioner's correct date of birth is 15th July, 1956 as per the Transfer Certificate issued by the Educational Department, Orissa and even as per the Medical Card issued by the Colliery, which shows that in the year 1994 he was considered as 45 years of age. Counsel further submits that as per Annexure P-13 dated 26th February, 2003, it shows that the petitioner age was recorded in the Department as 15th July, 1949, whereas the respondents are considering the date of birth of the petitioner as 15.07.1943 which is without any basis. The respondents are not considering his case based on these documents which are mentioned above. He further submits that as per NCWA-III No.76 issued on 25th April, 1988, if any dispute regarding the age arises and it cannot be determined in the ordinary course, then the matter is to be referred to the Age Determination Committee and that Committee will determine the age as per the procedure contained in Clause-B. In spite of the petitioner's request, the respondents are not referring the case of the petitioner before the Age Determination Committee.	

आदेश पत्रक

W.P. 2038/

मामला क्रमांक 2003

विरुद्ध

53

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित - 2 -	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Soma	The perusal of the relevant documents annexed with the petition reveals that the submission made by the learned counsel for the petitioner appears to be just and proper. It is therefore, directed that if the petitioner moves any representation before respondents 1 & 4 within a period of ten days, then the respondents will refer the case before the Age Determination Committee for determination of age and the Committee as far as possible will determine the age of the petitioner before his date of superannuation as per the existing record and thereafter, based on the report of that Committee the respondents should take decision. The petition is disposed of accordingly. Consequently, M.(W.)P.No.1846/2003 & I.A.No.6159/2003 also stand disposed of. Certified copy be supplied by tomorrow.	Sd/- L.C. Bhadoo Judge

[पीछे देखिये]